

REMARKS

In the final Office Action issued September 24, 2007, the specification was objected to for including personal or individual information. Claim 19 was rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps. Claims 1, 6, 12, 14, and 19 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim what the applicants regards as the invention. Claims 1, 3, 4, 6-12, 14, 15, and 18-20 were rejected under 35 U.S.C. §103(b) as being unpatentable over Chen et al. entitled "Merging R-Trees: Efficient Strategies for Local Bulk Insertion." (March 2002) in view of view of Guttman entitled "R-Tress: A Dynamic Index Structure for Spatial Searching," AMC 1984. Claims 1, 3, 4, 6-12, 14, 15, and 18-20 are now pending in this application. Claims 1, 6, 14, 18, 19, 20 have been amended to more clearly describe what the applicant deems as the invention.

Paragraph 1 (one) of the specification was amended to remove the attorney docket number included therein. Accordingly, the Applicants believe that the objection to the specification has been overcome and withdrawal of the objection is respectfully requested.

Claim 19 was amended to add the step of "selecting at least two" Accordingly, the Applicants believe that the rejection of claim 19 under 35 U.S.C §112, second paragraph, as being incomplete for omitting essential steps has been overcome and withdrawal of the rejection is respectfully requested.

Claims 1, 6, 12, 19 were amended to correct insufficiencies of antecedent bases in the respective claims. Accordingly, the Applicants believe that the rejection of claim 19 under 35 U.S.C §112, second paragraph, as failing to point out an distinctly claim the subject matter that the applicant regards as the invention has been overcome and withdrawal of the rejection is respectfully requested.

Claims 1, 6, 14, and 18-20 were amended to recite "selecting nodes of the index each having entries, wherein the selection is based on that the nodes of the index would overlap when the plurality of entries are inserted into a first one of the nodes of the index, and wherein the selected nodes of the index are sibling nodes." The present invention, according to claim

1, requires that sibling nodes are selected. The sibling nodes are selected because their entries would overlap if the new entries were inserted into the index.

Chen discloses a method and system for bulk loading of data into multidimensional index structures in order to efficiently construct large database. Chen disclosed that bulk insertion is applicable to creating new structures and applicable to insertion of data to already existing structures. The method identifies a suitable location in the existing structure to insert new data. See page 8 second paragraph. The goal in selecting the location is to assure that the level of the new data entered is at the same level of the existing structure. See page 11 second paragraph. The selection of the location for the insertion of the new data is based on whether the merger of the "closest" sibling nodes whose combined number of children is less than the fanout of one node. Chen does not disclose "selecting nodes of the index each having entries, wherein the selection is based on that the nodes of the index would overlap when the plurality of entries are inserted into a first one of the nodes of the index, and wherein the selected nodes of the index are sibling nodes." Accordingly, Chen fails to teach or suggest the invention claimed by claim 1, and claims 6, 14 and 18-20 that recite limitations similar to claim 1 for the same reasons discussed with respect to claim 1.

Guttman fails to cure the deficiencies of Chen with respect to claims 1, 6, 14 and 18-20. Therefore, the present invention according to claims 1, 6, 14 and 18-20 is not taught or suggested by Chen, alone or in combination, with Guttman.

Claims 3, 4, 7, 12, and 15 depend from claims 1, 6, and 14 respectively. Accordingly, claims 3, 4, 7, 12, and 15 are not taught for at least the reasons discussed above with respect to claims 1, 6, and 14. Accordingly, the Applicants believe that the rejection of claims 1, 3, 4, 6-12, 14, 15, and 18-20 under 35 U.S.C §103(b), as unpatentable over Chen in view of Guttman has been overcome and withdrawal of the rejection is respectfully requested.

Each of the claims now pending in this application is believed to be in form for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

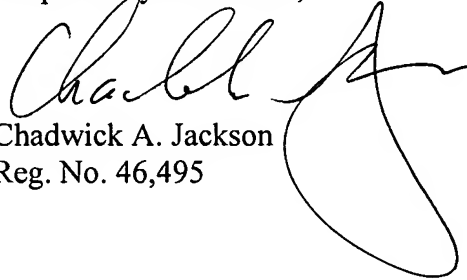
Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 50-4047 (19111.0247).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chadwick A. Jackson", with a large, stylized loop at the end.

Chadwick A. Jackson
Reg. No. 46,495

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